

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

KANWARPREET THIND, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

HF MANAGEMENT SERVICES, LLC, d/b/a  
HEALTHFIRST,

Defendant.

Civil Docket No. 14-cv-09539-LGS

ECF Case

**ORAL ARGUMENT REQUESTED**

**DECLARATION OF SCOTT B. KLUGMAN IN SUPPORT OF DEFENDANT HF  
MANAGEMENT SERVICES, LLC'S, MEMORANDUM OF LAW IN OPPOSITION TO  
PLAINTIFF'S MOTION FOR CONDITIONAL CERTIFICATION  
AND NOTICE PURSUANT TO 29 U.S.C. § 216(B)**

Scott B. Klugman declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law, licensed to practice in the State of New York and a partner at Levine Lee LLP, attorneys for Defendant HF Management Services, LLC ("Defendant") in this matter. I submit this Declaration in support of Defendant's Memorandum of Law in Opposition to Plaintiff's Motion for Conditional Certification and Notice Pursuant to 29 U.S.C. § 216(b).<sup>1</sup>

2. Annexed hereto as **Exhibit A** is a true and correct copy of excerpts of pages 1-99 of the transcript of the deposition of Plaintiff Kanwarpreet Thind, which occurred on June 19, 2015.

3. Annexed hereto as **Exhibit B** is a true and correct copy of excerpts of pages 128-247 of the transcript of the deposition of Plaintiff Kanwarpreet Thind, which occurred on June 19, 2015.

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<sup>1</sup> Capitalized terms used herein but not defined shall have the meaning ascribed to them in Defendant's Memorandum of Law in Opposition to Plaintiff's Motion for Conditional Certification and Notice Pursuant to 29 U.S.C. § 216(b).

4. Annexed hereto as **Exhibit C** is a true and correct copy of excerpts of pages 251-92 of the transcript of the deposition of Plaintiff Kanwarpreet Thind, which occurred on June 19, 2015.

5. Annexed hereto as **Exhibit D** is a true and correct copy of excerpts of pages 296-304 of the transcript of the deposition of Plaintiff Kanwarpreet Thind, which occurred on June 19, 2015.

6. Annexed hereto as **Exhibit E** is a true and correct copy of excerpts of Plaintiff's Responses and Objections to Defendant's First Set of Interrogatories, dated April 28, 2015.

7. Annexed hereto as **Exhibit F** is a true and correct copy of excerpts of transcript of the deposition of Healthfirst corporate representative Stephanie Kelly pursuant to Fed. R. Civ. P. 30(b)(6), which occurred on June 9, 2015.

8. Annexed hereto as **Exhibit G** is a true and correct copy of excerpts of Healthfirst's 2014 Employee Manual, produced by Defendant to Plaintiff bearing Bates Nos. HF\_THIND\_008997-9100 and marked as Exhibit 18 in the deposition of Plaintiff.

9. Annexed hereto as **Exhibit H** is a true and correct copy of excerpts of Plaintiff's bi-weekly pay records, produced by Defendant to Plaintiff bearing Bates Nos. HF\_THIND\_211095-127.

10. Annexed hereto as **Exhibit I** is a true and correct copy of excerpts of Plaintiff's 2010 and 2011 pay records, produced by Plaintiff to Defendant bearing Bates Nos. THIND 000073-74.

11. Annexed hereto as **Exhibit J** is a true and correct copy of a Healthfirst Manager Job Description Questionnaire, dated May 21, 2014, produced by Defendant to Plaintiff bearing

Bates Nos. HF\_THIND\_212572-82 and marked as Exhibit 2 in the 30(b)(6) deposition of Defendant.

12. Annexed hereto as **Exhibit K** is a true and correct copy of Plaintiff's resume, produced by Defendant to Plaintiff bearing Bates Nos. HF\_THIND\_138262-65 and marked as Exhibit 1 in the deposition of Plaintiff.

13. Annexed hereto as **Exhibit L** is Healthfirst's proposed revised Consent Form.

14. The portions of the aforementioned exhibits cited in Defendant's Memorandum of Law in Opposition to Plaintiff's Motion for Conditional Certification and Notice Pursuant to 29 U.S.C. § 216(B) are highlighted.

15. I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York  
on this 8th day of July, 2015

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s/ Scott B. Klugman  
Scott B. Klugman